



DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*



## **Public Comment: Article 21 Division Procurement & Rate Settings**

# Meeting Agenda

- Introductions
- Purpose
- Submitting Public Comments
- Review of Proposed Changes
- Questions



# Article 21 Informal Public Comment

The Department of Economic Security (Department) is rewriting the administrative rules that govern the Division of Developmental Disabilities' procurement and rate setting for qualified vendors.(6 A.A.C. 6, Article 21).

We are requesting **written** public comments on the current draft of these rules.

## Goals:

- Clarify the application process to become a Qualified Vendor or Individual Independent Provider
- Replace outdated definitions and terminology
- Enhance applicant requirements

# Reviewing the Proposed Rule

The Rule in draft form shows the document with the current version and includes the proposed tracked changes:

- New language that has been added is UNDERLINED
- Language that has been changed/removed is ~~STRIKED THROUGH~~

Review the draft Rule at <https://bit.ly/ddd-article21-draft>



# How to Submit Public Comments

The Department will accept written comments on these draft rules until **Monday, February 28, 2022**, via mail or email:

Mail to: Arizona Department of Economic Security  
Attn: Christian Eide  
P.O. Box 6123, Mail Drop 111G  
Phoenix, AZ 85007

E-mail: [ceide@azdes.gov](mailto:ceide@azdes.gov)

# Proposed Changes

- Added Index and Definition Section to help clarify the terms used in the Rules
- Added the steps for processing Individual Independent Provider Agreements in the event an expansion of the network is needed.
- Revised notification process for all Service Providers and Applicants
- Added Anti-Discrimination Language
  - *The Service Provider shall not discriminate against any Member or Member's legal representative based on gender, race, religion, political affiliation, national origin, behavior or language support needs, sexual orientation, gender identification, or disability.*

# Proposed Changes

- Enhanced the requirements for applicants to become a Qualified Vendors.
  - Business Plan
  - Financial Stability
  - “Good Standing” with applicable Licensing and Certification
  - Ability to meet the Division’s established Network need(s)
  - One Qualified Vendor Agreement per Applicant
  - Requires the Applicant to have the “...*qualifications, knowledge, experience, and capability to meet the need for services based on personal references;*”

# Proposed Changes

## Authorization and Member Choice

- Documents the ways in which Members, or Legally Responsible Individuals, may select Vendors.
- The Member or Member's legal representative may change Service Providers at any time after the Department assigns an Authorization to a Service Provider.
- The Department shall assist the Member or Member's legal representative with changing Service Providers.
- The Department will establish policies to support Members and Members' representatives to use the planning process to resolve Member concerns regarding providers or service delivery.
- The Service Provider shall continue to provide services to the Member until the Member selects a new Service Provider.



# Proposed Changes

## Network Impact

- Maintains an informal review process for Service Provider to request a release from providing authorized services
- Provides an additional level of protest of the Informal Review
- Requires vendors to continue to serve members for whom they are authorized
- Outlines the process the Division uses to obtain services out of network
- Outlines the requirement to complete a Readiness Review
- Added a section for non-ALTCS claim disputes

# Proposed Changes

## Network Impact continued

- The Qualified Vendor shall not refuse to provide the authorized services for the Member unless:
  - The level of acuity of the Member's needs has changed to the extent that the Qualified Vendor's agreement terms, certification, licensure, or credentialing no longer covers the scope of care the Member requires.

# Next Steps

- DES will collect informal public comment through February 27, 2022
- DES will adjust the draft Rule based on feedback received.
- DES will submit the Rule to the Secretary of State's Office.
- Secretary of State's Office will publish for formal public comment.
- Rule revisions will be made.
- Updated Rule will be published to the A.A.C.

# How to Make Public Comment

Review the draft Rule at <https://bit.ly/ddd-article21-draft>

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